

EXHIBIT D



COMMISSION EUROPÉENNE

DG Concurrence

Cartels

Brussels, 18.02.11
COMP/G -1/ABC/mn/ D*2011/017886

Scott Castledine
Counsel for British Airways
Slaughter and May
1 Bunhill Row
London EC1Y 8YY
Fax: +44 (0)20 7090 5000
scott.castledine@slaughterandmay.com

Subject: Case COMP/39258 Airfreight

Dear Mr. Castledine,

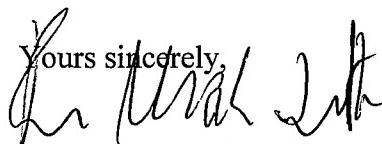
I refer to your email of 10 February 2011 on behalf of your client, British Airways. Your message concerns an action for civil damages brought in the United States in relation to an investigation by the US Department of Justice into the same matters as the Commission's Decision of 9 November 2010 in Case COMP/39258 Airfreight.

In response to your query, we object to any disclosure of the Decision by British Airways or any other addressee to the plaintiffs in these proceedings or to any third party.

The Decision is only addressed to individual undertakings and the confidential version of this document should not be disclosed.

The Commission issues a public version of a Decision only after having decided on possible confidentiality claims from the addressees of the Decision.

The Commission does not object to your disclosing this letter to the Court in the pending case. Please keep me informed if you do so. As a last point, please note that the published non-confidential version of the Decision will be available on the Commission's website as soon as it is available.


Yours sincerely,
Paul MALRIC-SMITH
Director